

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TOMMY T. PORTER and
SIDNEY N. LANGLEY,

Plaintiffs,

Case No. 21-12842

v.

Honorable Nancy G. Edmunds

UNITED STATES DISTRICT
COURT, *et al.*,

Defendants.

**ORDER DENYING PLAINTIFF TOMMY PORTER'S SECOND
"MOTION TO APPEAL CLOSED CASE" [13]**

The matter is before the Court on pro se Plaintiff Tommy T. Porter's second "motion to appeal closed case." (ECF No. 13.) This case was summarily dismissed and closed on January 28, 2022. (ECF Nos. 6, 7.) Plaintiff then filed objections and a motion to amend the judgment, which were denied on May 26, 2022. (ECF No. 10.) Over one year later, on August 1, 2023, Plaintiff filed his first "motion to appeal closed case." (ECF No. 11.) That motion was denied in an order issued on September 18, 2023. (ECF No. 12.) On September 21, 2023, Plaintiff filed the present motion, asking the Court to reconsider that order.

In the September 18, 2023 order, the Court noted that to the extent Plaintiff's motion could be construed as a request to extend or reopen the time to appeal, he is not entitled to relief. Plaintiff does not point to any error in this analysis. Instead, Plaintiff raises arguments related to the allegations in his original complaint. But this Court has already found that those allegations do not state a claim upon which relief may be granted. (See

ECF Nos. 6, 10.) In fact, Plaintiff's allegations appear to constitute an attack on the validity of a federal criminal conviction. A party cannot bring such a claim in a civil lawsuit.

For the foregoing reasons, Plaintiff's motion is DENIED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: October 24, 2023

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 24, 2023, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager